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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,330	03/29/2004	James L. Tracy	CM02046K	2712

7590

01/25/2006

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EXAMINER

LU, ZHIYU

ART UNIT	PAPER NUMBER
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2682

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/812,330	Applicant(s) TRACY ET AL.	
	Examiner Zhiyu Lu	Art Unit 2682	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. Claim 3 is objected to because of the following informalities:

On line 3 of claim 3, replace "followers" with ~follower~ to correct plural term.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Ijas et al. (US2002/0016191).

Regarding claim 1, Ijas et al. anticipate a multi-configuration portable electronic device (1 of Fig. 2), comprising:

- a) a first body (6 of Fig. 4) element having electrical circuitry disposed therein (paragraph 0048);
- b) a second body (9 of Fig. 4) element having electrical circuitry disposed therein (paragraph 0048);

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c) a hinge (36 of Fig. 7) for allowing configuration of the first and second body elements into at least portrait, landscape(Figs. 4-5), and closed positions (Figs. 1-2) (paragraph 0011), and for routing a flexible circuit board between the first and second body elements wherein upon movement of the first and second body elements the hinge prevents twisting of the flexible circuit board (abstract, Fig. 7, paragraphs 0012-0013).

Regarding claim 2, Ijas et al. anticipate the limitation of claim 1.

Ijas et al. also anticipate the limitation of further comprising a detent mechanism (38 of Fig. 7) in the hinge (36 of Fig. 7) for holding the first and second body elements in at least portrait, landscape, and closed positions (paragraph 0047).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ijas et al.

(US2002/0016191) in view of Sun et al. (U.S. Patent#5937062).

Regarding claim 3, Ijas et al. teach the limitation of claim 2.

Ijas et al. disclose the limitation of the detent mechanism (38 of Fig. 7) comprises a spring, arms, hinge pins and a beam, all coaxially located, wherein the arms are held in position with respect to

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one of the body elements of the multi-configuration portable electronic device, and the hinge pins are help in position with respect to the hinge (Fig. 7, paragraph 0047).

Ijas et al. do not disclose expressly the limitation of the detent mechanism comprises a cam and a cap having cam followers, all coaxially located, and wherein the cam is held in position with respect to one of the body elements of the multi-configuration portable electronic device, and the cap is help in position with respect to the hinge.

Sun et al. teach the limitation of a detent mechanism comprises a spring (15 of Fig. 1), a cam (16 of Fig. 1) having cam follower (171 of Fig. 1) and a cap (172 of Fig. 1), all coaxially located, and wherein the cam is held in position with respect to one of the body elements of the multi-configuration portable electronic device, and the cap is help in position with respect to the hinge (Figs. 1-4).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use a detent mechanism with a spring, a cam, and a cap having a cam follower as shown by Sun et al. Applicant has not disclosed that a detent mechanism with a spring, a cam, and a cap having a cam follower, is used for a particular purpose, or solves a stated problem.

One of ordinary skill in the art, furthermore, would have expected Applicant's invention to perform equally well with a cam, and a beam because they both work as detent mechanism and utilize torque force produced by a spring.

Therefore, it would have been obvious to one of ordinary skill in the art to modify the detent mechanism of Ijas et al. into the detent mechanism of Sun et al. to obtain the invention as specified in claim 3.

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4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ijas et al. (US2002/0016191) in view of Small (US2003/0069589).

Regarding claim 4, Ijas et al. teach the limitation of claim 1.

But, Ijas et al. do not expressly disclose a hook member disposed each of the first and second body elements and each in correspondence with a collar portion of the other body element, wherein the hook member retains the collar portion upon rotation of one of the body elements about the hinge.

Small teaches a hook (18 of Fig. 1) and collar (19 of Fig. 1) mechanism used to retain two body elements (Fig. 1).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a hook member, as taught by Small, disposed on each of the first and second body elements and each in correspondence with a collar portion of the other body element, into the multi-configuration portable electronic device of Ijas et al., in order to stably secure the two body elements in closed position.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.


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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Zhiyu Lu whose telephone number is (571) 272-2837. The examiner can normally be reached on Weekdays: 9AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on (571) 272-7629. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Zhiyu Lu
January 4, 2006


DORIS H. TO
SUPERVISORY PATENT EXAMINER
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